

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

v.

Hon. Bernard A. Friedman

Case No. 13-cr-20039

TARIQ TAHIR (D-6)

Defendant

**DEFENSE COUNSEL'S MOTION TO WITHDRAW AS ATTORNEY FOR
DEFENDANT TARIQ TAHIR**

NOW COMES Defendant's counsel, Doraid B. Elder, and in support of his motion to withdraw as counsel for the Defendant, states as follows:

1. Counsel is the attorney of record on the above captioned matter and was retained to represent Defendant.
2. Trial is scheduled for March 24, 2015.
3. There has been a breakdown in the attorney-client relationship.
4. Counsel has met with Defendant to review discovery and discuss Defendant's case.
5. Counsel and Defendant have had different views regarding Defendant's case.
6. That Defendant has substantially failed to fulfill his obligations with Petitioner, substantially impairing Petitioner's ability to effectively represent Defendant.
7. That despite Petitioner's advise, Defendant has refused to cooperate with Petitioner.
8. That 57.1 of the Local Rules of the United States District Court for the Eastern District of Michigan provides:

(b) An attorney who has appeared in a criminal case may thereafter withdraw only by written motion served upon the defendant personally or at the Defendant's last-

known address and upon all other parties. The Court may deny a motion to withdraw if the attorney's withdrawal would unduly delay trial of the case, or be unfairly prejudicial to any party, or otherwise not be in the interest of justice.

An irreconcilable conflict in the attorney-client relationship is good cause to warrant substitution of counsel and comports with the tenants of the Sixth Amendment right to effective assistance of counsel. Wilson vs Mintzes, 761 F2d 275 (6th Cir 1985).

9. Due to privileged communication, Counsel cannot divulge other reasons for this motion to withdraw.
10. Counsel knows that good cause for withdrawal exists under the circumstances in this case and that Defendant would be better served by obtaining different counsel.
11. Counsel seeks a court order allowing him to withdrawal as counsel for Defendant.

WHEREFORE, Attorney Doraid B. Elder respectfully requests that this Honorable Court grant his motion and enter an Order of Withdrawal for Attorney Doraid B. Elder as attorney of record for Defendant Tariq Tahir.

Dated: December 19, 2014

Respectfully submitted,

DORAID B. ELDER, P.C.

/s/ Doraid B. Elder

By: Doraid B. Elder (P57728)
Attorney for Defendant Allen
1360 Porter Street, Suite 200
Dearborn, MI 48124
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_____ /

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2014 I electronically filed the foregoing Defense Counsel's Motion to Withdraw as Attorney for Defendant Tariq Tahir with the Clerk of the Court using the ECF system which will send notification of such filing to all parties listed on the Electronic Mail Notice List.

I further certify that I have mailed the same by United States Postal Service to:

TARIQ TAHIR
6743 Maple Creek Blvd.
West Bloomfield, MI 48322-4556

Dated: December 19, 2014

Respectfully submitted,

DORAID B. ELDER, P.C.

/s/ Doraïd B. Elder

By: Doraïd B. Elder (P57728)
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